

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
MONDAY, FEBRUARY 3, 2014**

A Regular Meeting of the Deltona City Commission was held on Monday, February 3, 2014 at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 6:30 p.m. by Mayor Masiarczyk.

2. ROLL CALL:

Mayor	John Masiarczyk	Present
Vice Mayor	Heidi Herzberg	Present
Commissioner	Webster Barnaby	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Fred Lowry	Absent (Excused)
Commissioner	Chris Nabicht	Present
Commissioner	Nancy Schleicher	Present
City Manager	Dave Denny	Present
City Attorney	Becky Vose	Present
City Clerk	Joyce Raftery	Present

Also present: Public Works/Deltona Water Director Gerald Chancellor; Parks and Recreation Director Steve Moore; Planning and Development Services Director Chris Bowley; Economic Development Manager Jerry Mayes; Building and Enforcement Services Director/Acting Deputy City Manager Dale Baker; Acting Fire Chief Robert Rogers; and VCSO Captain Dave Brannon.

3. INVOCATION AND PLEDGE TO THE FLAG:

Silent Invocation Presented by Mayor Masiarczyk.

The National Anthem was sung by the Adrian Tristan.

4. APPROVAL OF MINUTES & AGENDA:

A. Minutes:

1. Approval of Minutes – Regular City Commission Meeting of January 21, 2014.

Motion by Commissioner Schleicher, seconded by Commissioner Vice Mayor Herzberg to approve the minutes of the Regular City Commission Meeting of January 21, 2014.

Commissioner Barnaby asked that staff review the audio regarding whether or not there was a second to his amended motion on Page 13 of the minutes and to amend the minutes as necessary.

Motion carried unanimously with members voting as follows: Commissioner Barnaby For; Commissioner Denizac, For; Commissioner Nabicht, For; Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.

B. Additions or Deletions to Agenda:

5. PRESENTATIONS/AWARDS/REPORTS:

A. Presentation - Super Star Student of the Month Certificates for January 2014.

The Commission presented Super Star Students of the Month certificates for January, 2014.

B. Presentation – Quarterly Reports of City Advisory Boards/Committees.

Deltona Economic Development Advisory Board (DEDAB) Chairman Rick Demeter presented the DEDAB and the DEDAB Sub-committees Quarterly Reports covering the fourth quarter of 2013.

A written Quarterly Report was submitted from the Planning and Zoning (P&Z) Board covering the fourth quarter of 2013.

Plan Administrator Lisa Spriggs presented a Quarterly Advisory Board report for the Firefighter's Pension (FFP) Plan, Board of Trustees.

6. PUBLIC FORUM – Citizen comments for items not on the agenda.

a) Larry DeMatteo, 2501 Barry Drive, stated that Deltona has the best Fire Department, the members from Station No. 65 responded to his 911 emergency call in a very fast and professional manner, the ambulance team also responded quickly, Volusia County dispatch was pretty good, but could be better, and dispatch failed to provide specific directions to his residence.

b) Edwin Lasanta, 459 Haversham Road, stated that he seconds Mr. Dematteo's comments concerning the Deltona Fire Department who responded quickly and professionally when he called 911 and are responsible for saving his wife's life. He thanked the Mayor, Commission, City Manager, and City Attorney for resolving the issue regarding the streets of Saxon Ridge, thanked the Public Works Director, Gerald Chancellor for the professional manner in which he prepared the City's plan to take care of the streets and the Public Works Operations Manager, Tom Cioffi for quickly coordinating the plan start date.

c) David Dawson, 1698 Sterling Silver Boulevard, stated that on January 18, 2014 the Sterling Park Home Owners Association (HOA) attended a Planning and Zoning Board meeting to consider the rezoning of lots abutting Sterling Court and Sterling Park Estates and was rescheduled for February 19th. On January 28th the Sterling Park HOA and Sterling Court residents met with WRS Inc., a developer from Mount Pleasant South Carolina who represents Wal-Mart stores and whose website indicates it received the green light to proceed with a Wal-Mart Neighborhood Market project. On February 1st there was a newspaper article stating that Florida Hospital Fish Memorial will be constructing a two story outpatient care facility with a map indicating that it will be at the same location as the Wal-Mart. There has already been a sign put up announcing the Wal-Mart Neighborhood Market prior to any Planning and Zoning Board or Commission meetings. He asked what is actually happening in the Sterling Silver community.

Mayor Masiarczyk replied that WRS, Inc. was contacted today and removed the sign; a decision on the rezoning has not been made yet, and will not be made until the Planning and Zoning Board has made a recommendation to the Commission and the Commission votes on it.

7. CONSENT AGENDA:

1
2 Mayor Masiarczyk read the title of each item on the Consent Agenda.

3
4 **Motion by Vice Mayor Herzberg, seconded by Commissioner Schleicher to approve Consent**
5 **Agenda Items 7-A and 7-B.**

6
7 Commissioner Nabicht requested to pull Agenda Item 7-B.

8
9 **Amended motion by Vice Mayor Herzberg, seconded by Commissioner Schleicher to approve**
10 **Consent Agenda Item 7-A.**

11
12 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

13
14 **Motion carried unanimously with members voting as follows: Commissioner Barnaby For;**
15 **Commissioner Denizac, For; Commissioner Nabicht, For; Commissioner Schleicher, For; Vice**
16 **Mayor Herzberg, For; and Mayor Masiarczyk, For.**

17
18 ***A. Request for approval to award quote for Builders Risk Insurance on the Eastern Water**
19 **Reclamation Facility construction project.**

20
21 **Approved by Consent Agenda – to make award of proposal to provide Builders Risk**
22 **Insurance on the Eastern Water Reclamation Facility construction project to American Zurich**
23 **Insurance Company at a total cost of \$73,828.00.**

24
25 **B. Request for Fee Waiver – Deltona Little League-Annual Opening Day Parade.**

26
27 Commissioner Nabicht stated that he is not in favor of waiving any fees that are on the books, that the
28 schedule for all of the Parks and Recreations fees needs to come before the Commission for review, he
29 has nothing against any group, fees on the books should not be waived, if a fee is continually waived
30 then it needs to be removed from the books, organizations like the Volusia County Sheriff's Office
31 (VCSO) have expenses for providing services, and he is against waiving any fees.

32
33 The Commission discussed the request being within the City's policy of in-kind donations, the fee
34 schedule coming before the Commission for review, the usual types of fee waivers that are requested,
35 the costs to the City when a request is approved for the VCSO fees, and groups being informed ahead of
36 time that there will be no exception to the fees so the groups can forecast the costs in its budget. Some
37 of the suggested issues to discuss at the workshop were; fees paid to VCSO for event coverage, and
38 whether organizations can either pay the event fees or perform in-kind services.

39
40 Mr. Denny stated the Parks and Recreation fee schedule will be on the February 24, 2014 Workshop
41 agenda.

42
43 **Motion by Commissioner Nabicht, seconded by Vice Mayor Herzberg to approve Consent**
44 **Agenda Item 7-B.**

45
46 **Motion carried unanimously with members voting as follows: Commissioner Barnaby For;**
47 **Commissioner Denizac, For; Commissioner Nabicht, For; Commissioner Schleicher, For; Vice**
48 **Mayor Herzberg, For; and Mayor Masiarczyk, For.**
49

8. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Ordinance No. 17-2013, An Amendment to the Capital Improvements Element of the City's Comprehensive Plan, at second and final reading.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Vice Mayor Herzberg, seconded by Commissioner Schleicher to adopt Ordinance No. 17-2013, at second and final reading, that amends and updates the City of Deltona's Comprehensive Plan Capital Improvements Element and the Five-Year Schedule of Capital Improvements.

City Attorney Becky Vose read the title of Ordinance No. 17-2013.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF DELTONA, BY AMENDING THE CAPITAL IMPROVEMENTS ELEMENT PROVIDING FOR THE REPLACEMENT OF THE CAPITAL IMPROVEMENT PROJECT SHEETS; FINDING CONFORMITY WITH STATE STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Motion carried unanimously with members voting as follows: Commissioner Barnaby For; Commissioner Denizac, For; Commissioner Nabicht, For; Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.

Ordinance No. 17-2013 was adopted at 7:14 p.m.

B. Public Hearing - Ordinance No. 18-2013, Phase II-B, amendments to the Land Development Code, at second and final reading.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Commissioner Schleicher, seconded by Vice Mayor Herzberg to adopt Ordinance No. 18-2013, that amends the Code of Ordinances Subpart B, Land Development Code, by adding, revising, and deleting certain provisions of Chapter 70, Section 30, "Definitions"; Chapter 74, "Administration"; Chapter 75, "Site Plan"; Chapter 106, "Subdivisions"; and Chapter 110, "Zoning", at second and final reading.

City Attorney Becky Vose read the title of Ordinance No. 18-2013.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE CODE OF ORDINANCES SUBPART B, LAND DEVELOPMENT CODE, BY ADDING, REVISING, AND DELETING CERTAIN PROVISIONS OF CHAPTER 70 SECTION 30, "DEFINITIONS"; CHAPTER 74, "ADMINISTRATION"; CHAPTER 75, "SITE PLAN"; CHAPTER 106, "SUBDIVISIONS"; AND CHAPTER 110, "ZONING".

Motion carried unanimously with members voting as follows: Commissioner Barnaby For; Commissioner Denizac, For; Commissioner Nabicht, For; Commissioner Schleicher, For; Vice

1 **Mayor Herzberg, For; and Mayor Masiarczyk, For.**

2
3 Ordinance No. 18-2013 was adopted at 7:16 p.m.

4
5 **C. Public Hearing – Ordinance No. 01-2014, Tractor Supply Company Amendment to the**
6 **Official Zoning Map (RZ13-007), at second and final reading.**
7

8 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

9
10 **Motion by Commissioner Nabicht, seconded by Vice Mayor Herzberg to adopt Ordinance No.**
11 **01-2014, for the rezoning of approximately five (5) acres for Rural Residential (RR-C) to the**
12 **City's C-1 Retail Commercial (Project RZ13-007), at second and final reading.**
13

14 City Attorney Becky Vose read the title of Ordinance No. 01-2014.

15
16 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL**
17 **ZONING MAP FOR A PORTION OF THE FOLLOWING PARCEL: A PARCEL OF LAND**
18 **LYING IN SECTION 6, TOWNSHIP 19 SOUTH, RANGE 32 EAST AND BEING (A PART**
19 **OF LOTS 14 THROUGH 25, BLOCK 203), (LOTS 1 THROUGH 8, AND PART OF LOTS**
20 **9 THROUGH 16, BLOCK 403), AND (LOT 1, AND PART OF LOTS 2, 3, 5 AND UN-**
21 **NUMBERED LOT IN BLOCK 601), TOGETHER WITH PORTIONS OF VACATED 1ST**
22 **STREET EAST, 2ND STREET EAST AND PORTIONS OF VACATED ALLEYS ALL AS**
23 **SHOWN ON THE PLAT OF 2ND ADDITION TO CARNELL AS RECORDED IN PLAT**
24 **BOOK 10, PAGE 128 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.**
25 **SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**
26 **COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 995.4**
27 **FEET OF SAID SECTION 6 WITH THE SOUTH RIGHT OF WAY LINE OF SANDLOR**
28 **DRIVE AS SHOWN ON THE PLAT OF DELTONA LAKES AS RECORDED IN PLAT**
29 **BOOK 28, PAGE 95 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;**
30 **THENCE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE, 401.12 FEET TO THE**
31 **POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE**
32 **CONTINUE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE AND THE EASTERLY**
33 **PROLONGATION THEREOF, 854.00 FEET TO A POINT LYING ON THE WESTERLY**
34 **RIGHT OF WAY LINE OF STATE ROAD NO.415 AS SHOWN ON STATE ROAD RIGHT**
35 **OF WAY MAP FOR STATE ROAD NO. 415, SECTION 79120, F.P. NO.407355 4 AND THE**
36 **ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF**
37 **3355.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.45°57'40"W.;**
38 **THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE**
39 **ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'37", 406.58 FEET;**
40 **THENCE N.89°53'05"W., 589.13 FEET; THENCE N.00°06'55"W., 308.14 FEET TO THE**
41 **POINT OF BEGINNING, CONTAINING 5.07 ACRES MORE OR LESS, LOCATED AT 890**
42 **SR 415; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**
43

44 **Motion carried unanimously with members voting as follows: Commissioner Barnaby For;**
45 **Commissioner Denizac, For; Commissioner Nabicht, For; Commissioner Schleicher, For; Vice**
46 **Mayor Herzberg, For; and Mayor Masiarczyk, For.**
47

48 Ordinance No. 01-2014 was adopted at 7:20 p.m.
49

D. Public Hearing - Ordinance No. 03-2014, Amending and updating the City's Floodplain Management Regulations as listed in Chapters 70, Section 30, Definitions, and Chapter 90, Flood Hazard Management, of the City's Code of Ordinances, as well as adopting new FEMA Flood Insurance Rate Maps, dated February 19, 2014, at first reading and to schedule second and final reading.

Planning and Development Services Director Chris Bowley stated that because of Deltona's size and typography some homes are in the 100 year flood plain and some are not, that in 2011 Federal Emergency Management Agency (FEMA) requested the City to update their flood plain ordinance, then mandated the City to adopt a FEMA model flood plain ordinance for February 19, 2014, and the City being under the deadline to adopt. Historically the flood plain was developed using five (5) foot intervals so many of the homes in Deltona were not listed as being in the 100 year flood plain zone, in 2011 FEMA changed to a one (1) foot contour interval, and that some houses will come out of the flood plain and some will go in. He also stated that the City is trying to remain a National Flood Insurance Program (NFIP) community, which gives homeowners the right to pursue a preferred risk policy, and that the City is trying to obtain a community rating system which will also assist homeowners in lowering the cost of their flood insurance.

Commissioner Denizac stated that the City really does not have anything to say about the model flood plain ordinance since it is mandated by FEMA, and she asked if the City has notified the parcel owners who will be affected if the ordinance is approved. Mr. Bowley replied that Commissioner Denizac was correct since it is a FEMA mandated issue a local government does not have a right to stop it from happening, Deltona can only facilitate what FEMA is dictating them to do, and that staff will reach out to the homeowners that will be affected by letting them know about the public hearing date.

Commissioner Nabicht asked what the City's role was in the 100 year flood plain development, if the maps were created by the City or by FEMA, and he discussed the difference between an existing property with a home on it and a vacant lot. Mr. Bowley replied that typically FEMA comes out with new flood insurance rate maps identifying which areas are at risk and which are not about every 10 years, but that lately in light of past weather related incidents FEMA has taken a more aggressive role in making sure the maps are up to date, and that the difference between an existing home and a vacant lot is that a homeowner has to negotiate flood insurance with the insurance company, and the City requires vacant lot owners to build one (1) foot above the base flood elevation, or one (1) foot above the crown of the road.

Commissioner Barnaby stated that on Thursday the US Senate passed a Bill by a vote of 67 to 32 to delay increases billed by National Flood Insurance Program (NFIP) until after FEMA has completed a study on flood insurance affordability. The Bill would require FEMA to certify it's flood mapping approach before certain rate changes are made and would allow insurance agents and brokers to sell insurance in multiple states without an additional license, and that both of Florida's US Senators voted to approve the Bill. He discussed the approach FEMA takes, the science it uses in developing the flood plain, that FEMA does not do any physical site visits, the flood maps being developed in Washington. That Federal and State agencies and Deltona's lobbyist should be used to challenge the science that FEMA is using that places homeowners at an adverse financial loss, and that he does not accept the FEMA deadline.

Commissioner Denizac stated that to a certain degree she concurs with Commissioner Barnaby's comments about challenging FEMA's science used, and that the City should also challenge the

1 science used by the Saint Johns River Water Management District (SJRWMD), and that financially
2 residents will be hit tremendously hard by both agencies actions.

3
4 Vice Mayor Herzberg asked what would happen if Deltona did not comply with adopting FEMA's
5 model flood plain ordinance by February 19, 2014. Mr. Bowley replied staff asked that question and
6 if there was a grace period on the date, and he stated that the City is a NFIP community. He was told
7 that FEMA would start the process to drop Deltona from the NFIP, which would result in
8 homeowners who are in the 100 year flood plain not being eligible for reduced rate insurance
9 (Preferred Risk Policy).

10
11 Vice Mayor Herzberg stated that she is not in favor of challenging FEMA's model flood plain
12 ordinance because it would cause residents to have to pay higher flood insurance rates.

13
14 **Motion by Vice Mayor Herzberg, seconded by Commissioner Nabicht to approve Ordinance**
15 **No. 03-2014 for the City's Code of Ordinances, repealing and replacing the existing Chapter**
16 **90, as well as, amending Chapter 70, Section 30, and adopting new FEMA Flood Insurance**
17 **Rate Maps, as mandated by FEMA, at first reading.**

18
19 Mayor Masiarczyk opened the public hearing.

20
21 Vicki Wailes, 770 Gordon Court, asked how a resident would apply for reduced rate flood insurance,
22 for a map to see if her home is actually in a flood zone, and when a public hearing was going to be
23 held on the US Senate Bill mentioned by Commissioner Barnaby about the delay of increases billed
24 by NFIP.

25
26 Mayor Masiarczyk replied that Deltona homeowners are automatically part of the NFIP, if the
27 Commission does not take action tonight then FEMA would take actions to remove Deltona from the
28 NFIP, the insurance company sets her premium based on where her home is in the flood plain, and
29 that insurance premiums are kept down by the NFIP.

30
31 Commissioner Barnaby stated that the bill was approved this past Thursday and a public hearing was
32 not scheduled yet.

33
34 Edwin Lasanta, 459 Haversham Road, asked what the range of premiums was for flood insurance.

35
36 Mayor Masiarczyk stated that the range of premiums is set by the insurance providers by using
37 various criteria such as the value of the home, the elevation of the property, etc.

38
39 Vice Mayor Herzberg stated that an increase in insurance premiums is hard for every resident, just
40 about all of Florida is in a flood zone, considering the number of hurricanes and natural disasters that
41 have hit Florida over time, and the number of dollars that FEMA has had to put out in aide to
42 communities, people who have lost their homes, and FEMA always being there for the residents of
43 Florida that are affected by the slew of natural disasters that Florida has had. The City can try to
44 fight the issue and she encouraged residents to write letters to their Senators and Congressman, but
45 at this stage, she cannot see jeopardizing the low risk insurance that is currently available to
46 residents.

47
48 Larry DeMatteo, 2501 Barry Drive, stated that the Commission should call a town meeting to let

residents know what the largest city in Volusia County is trying to do, provide current information to residents, and that there has to be something the City can do,

Mayor Masiarczyk closed the public hearing.

City Attorney Becky Vose read the title of Ordinance No. 03-2014.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE CODE OF ORDINANCES SUBPART B, LAND DEVELOPMENT CODE BY ADDING, REVISING, AND DELETING CERTAIN PROVISIONS OF CHAPTER 70 SECTION 30, "DEFINITIONS"; REPEALING CHAPTER 90, FLOOD CONTROL, AND ENACTING A NEW CHAPTER 90, FLOODPLAIN MANAGEMENT; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS AND FOR OTHER PURPOSES, ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE.

Motion carried with members voting as follows:

Commissioner Barnaby	Against
Commissioner Denizac	For
Commissioner Nabicht	For
Commissioner Schleicher	For
Vice Mayor Herzberg	For
Mayor Masiarczyk	For

Ordinance No. 03-2014 was approved at 7:43p.m.

9. OLD BUSINESS: None.

10. NEW BUSINESS: None.

11. CITY ATTORNEY COMMENTS:

A. Charter Review Committee (CRC) Update.

City Attorney Becky Vose stated that she provided handouts indicating the Charter Review Committee (CRC) timeline and the first five (5) questions that have been finalized by the CRC for recommendation to the City Commission, future CRC meeting dates, that the CRC will be reviewing two (2) more charter review amendments, there is a joint meeting scheduled with the Commission on March 10, 2014, on March 17, 2014 will be the first reading of the Ordinance of which items will go on the ballot, and on April 7, 2014 the ordinance will come before the Commission for second and final reading, the referendum language must be submitted to the Supervisor of Elections by June 6, 2014, and that the referendum will be on the ballot for the General Election.

Mayor Masiarczyk asked to make sure CRC members are notified of meeting dates, agendas and minutes.

12. ACTING CITY MANAGER COMMENTS:

1 A portion of Old Mill Drive was closed today and will be closed until the end of the day on
2 Wednesday for milling and resurfacing, and that residents in the area have access to their homes.

3
4 **A. Lobbyist Update:**
5

6 The Septic Tank Bill language has been changed to where the Bill will not go forward at all without
7 language stating that it will be completely funded by the State, not by municipalities.

8
9 Restructuring of the communication service tax is being looked at very hard in Tallahassee, the tax is
10 being restructured at the State level only, this will not have an effect on municipalities and counties,
11 and there should be no difference in the dollars received from that tax revenue.

12
13 Enterprise zones are being phased out, State has decided that it cannot come up with a highbred Bill
14 that would incorporate enterprise zones, brownfields, and community redevelopment areas because
15 it affects growth management in municipalities and counties, enterprise zones will be phased out in
16 2015, there is an effort in Tallahassee to reauthorize enterprise zones, and he will keep the
17 Commission abreast of the issue.

18
19 It appears that the Department of Transportation (DOT) is supposed to have quite a bit of money this
20 year for DOT transportation projects, a list will be provided of the types of project funds that are
21 available to apply for, if there are any dollars available that staff will bring everything before the
22 Commission for approval.

23
24 Mayor Masiarczyk stated that at the West Volusia Summit held last weekend there was a brief
25 update provided on the Saint Johns River, manatees and water, which is a very crucial issue, the
26 average current water rate of the four (4) tiers is approximately \$1.90 per 1,000 gallons of water
27 used and residents could be looking at an increase of between \$3 to \$6 dollars per 1,000 gallons. He
28 stated he concurs with Mr. DeMatteo and Commissioner Barnaby's comments and that it is time for
29 cities to say enough is enough. He asked staff to provide an estimate of what a resident's water rate
30 would be without having to go through the red tape process concerning the Blue Spring manatee
31 preserve.

32
33 **13. CITY COMMISSION COMMENTS:**
34

35 a) Commissioner Schleicher concurred with Mayor Masiarczyk, perhaps Deltona should add
36 FEMA to the list of topics for the next West Volusia Summit and she stated she will not be at the next
37 workshop. She stated in case the medical marijuana bill passes staff should look at what other cities are
38 considering concerning oversight of the program and that Deltona should have a draft Ordinance
39 prepared should the Bill pass.

40
41 b) Commissioner Nabicht stated that the West Volusia Summit was a good gathering of West
42 Volusia County cities, he suggested the Commission approve Mr. Denny look into Creative Industries
43 alliance with the film commission, the film commission sounds like a very good economic development
44 tool, and that he would like to obtain more information on the subject at a Commission Workshop to
45 hear what the alliance could specifically do for the City of Deltona.

46
47 Mayor Masiarczyk stated that he has heard the presentation on several occasions, he is supportive of a
48 film program in West Volusia County, but not with Creative Alliance Incorporated, there is friction with

1 the organization, but he concurred the Commission should discuss the film industry and economic
2 development at a workshop. He stated the County Council turned down the group's offer and is
3 vehemently opposed to working with the group.

4
5 Commissioner Nabicht stated that he had heard there was conflict, he wanted to get the issue vetted
6 before the Commission, that Deltona's workforce can support the film industry, and that the concept is
7 certainly worth looking into.

8
9 **After discussion, the Commission concurred to add the creative arts industry and how it could**
10 **assist with economic development to a workshop agenda.**

11
12 Commissioner Nabicht stated that with the current cold weather and rain in the area several of Deltona's
13 roads have a lot of potholes, the City needs to take a serious look at a way to supplement the road
14 resurfacing budget, replacing a road costs approximately four (4) times what it costs to resurface a road,
15 this year's road resurfacing budget needs to be amended, several well-travelled roads are in serious need
16 of repair, heavier loads will come into the City as the economy improves on these failing roads, and the
17 City needs to get ahead of the curve.

18
19 c) Commissioner Denizac stated that her biggest concern is with what the Saint Johns River Water
20 Management District who has been dictating to all cities in West Volusia County, she has no idea how
21 residents would pay the increase in water fees per 1,000 gallons mentioned by the Mayor and she
22 concurs with Commissioner Barnaby's comments that Deltona needs to stand up either by themselves
23 or together with all of the other cities in West Volusia County to address the issue with this goliath who
24 has a board that is not elected. She asked how the City can hold the SJRWMD accountable and that the
25 City really needs to stand up and do something about the issue so five (5) to ten (10) years from now
26 City Commissions are not sitting around talking about the same thing.

27
28 d) Commissioner Barnaby stated that road resurfacing is one of the reasons that he has advocated
29 that Deltona should rejoin the Volusia Council of Governments (VCOG), that strength in numbers is
30 important, working together collectively things can be accomplished, Deltona is seen as being out on an
31 island by themselves and that many times the City and residents get crushed, being seen as an island is a
32 disservice to Deltona's residents, that it is time for Deltona to come into the fellowship of other cities,
33 working with other professional elected officials to accomplish the same goals as the other cities for the
34 residents, Deltona is clearly the largest residential based city in the West Volusia County area, the
35 rental properties in Deltona with people who have the same amount of pride as a homeowner, several
36 issues to address that the Commission needs to take proactive measures on and make decisions that will
37 benefit residents, he concurs with the action needing to be taken concerning water issues and with the
38 film industry, but the Commission also needs to be sensitive to resident's needs, such as those
39 mentioned by the Sterling Park residents, there needs to be more transparency on projects and things
40 that are in the pipeline, he wants to know more on the economic development team and where projects
41 are going to be located. He asked for the status of the proposed community center in his district and of
42 the project to extend Rhode Island Boulevard into North Normandy Boulevard where the Epic Theater
43 stands alone, the Commission needing to be more proactive in its approach and needs to get these things
44 done.

45
46 e) Vice Mayor Herzberg stated that she and Commissioner Schleicher attended a Social Studies
47 Fair at Deltona Middle School, handed out medals and awards to students, the awesome job the kids did
48 on the projects, the number of parents and family members who participated, and that she looks forward

1 to more and more good things coming out of Deltona Middle School with Doctor Sileo at the helm.
2 She concurred with Commissioner Barnaby's comments on teamwork, working with other cities and
3 organizations like VCOG, the current members of the Volusia League of Cities (VLC) voting 30 to six
4 (6) to require cities to belong to both the VLC and VCOG, that cities either belong to both or to neither
5 organization, she concurred with Commissioner Barnaby that Deltona needs to belong to both VLC and
6 VCOG, VCOG needing to start taking up local issues, looking at how cities can work together to
7 address issues, the West Volusia Summit being about teamwork and cooperation, Deltona not being
8 able to stand alone and expect support, the VLC having a legislative call-in session that begins Monday,
9 March 3, 2014 and continuing every Monday until April 13, 2014, Deltona needing to participate in the
10 session, the Deltona Commission needing to be a formidable force to deal with issues for the residents,
11 Deltona needing to have a Town-Hall meeting, and she encouraged residents to attend.

12
13 Commissioner Schleicher asked to put VCOG and VLC on the next Workshop to discuss membership
14 and where to get the funds from.

15
16 Vice Mayor Herzberg mentioned Deltona needing to join into an alliance with the DeLand Chamber,
17 getting involved with local Chambers, Deltona only having a seven (7) percent business tax base,
18 obtaining input from businesses, and to put on a future workshop agenda to partner with the DeLand
19 Chamber.

20
21 Commissioner Denizac stated that VCOG has just set a bad example of bullying by requiring cities to
22 either belong to VCOG or not belonging to either organization, both organizations being run by the
23 same person, both organization's websites having the same information, that VCOG and VLC should
24 merge, look at historical data as to what the benefit have been to belong to the organizations, that she
25 has not seen the advantages to belonging to either organization, and she will send the City Manager an
26 email with details on what she would like discussed concerning the two (2) organizations.

27
28 Vice Mayor Herzberg stated that the difference in the two (2) organizations is that one (1) is a 501-C3
29 and one (1) is a 501-C4, both have different sunshine law requirements, whether combined or separate
30 both have overhead that needs to be paid, the City of Deltona was incorporated with the help of VCOG,
31 the recent issues with the Town of Pierson not having a Town Clerk and VCOG providing assistance,
32 the purpose and need of belonging to professional organizations, and she thanked Orange City Council
33 Member Ron Saylor for attending and she suggested that Commissioners should be ambassadors.

34
35 f) Mayor Masiarczyk stated that there was an article in print concerning Deltona being short
36 changed by not receiving its share of Tourist Development Council (TDC) funds, he called the county
37 and discussed the article, Mr. Tavenier's comments in the article are correct, the county attorney is
38 looking into the matter and would report back to the City.

39
40 **14. ADJOURNMENT:**

41
42 There being no further business, the meeting adjourned at 8:20 p.m.

43
44
45
46 **ATTEST:**

John Masiarczyk Sr., Mayor

47
48
49 **Mitch Honaker, Deputy City Clerk**